

# **EXHIBIT 45**

**In The Matter Of:**

***IN RE: SEPTEMBER 11 LITIGATION***

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**TRANDAFILE BALA**

*December 14, 2006*

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***HIGHLY CONFIDENTIAL***

***TC REPORTING in affiliation with Merrill Corp.,***

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**BALA, TRANDAFILE - Vol. 1**

## TRANDAFILE BALA - HIGHLY CONFIDENTIAL

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15:20:28 1 Q. Were there any knives under four inches

15:20:32 2 prior to September 11th, 2001, which were not allowed

15:20:38 3 in the sterile area?

15:20:43 4 A. The knife, three to four inches, was not

15:20:44 5 allowed.

15:20:51 6 Q. Okay. So, prior to September 11th, 2001,

15:20:55 7 it's your testimony that a knife three to four inches

15:20:58 8 was not prohibit -- was not permitted in the sterile

15:21:00 9 area, correct?

15:21:07 10 A. Yes.

15:21:13 11 Q. Did you ever see a knife or detect a knife

15:21:18 12 while you worked at Huntleigh at Terminal C? Did you,

15:21:20 13 yourself, ever detect a knife?

15:21:21 14 A. Yes.

15:21:27 15 Q. And did you ever measure that knife to

15:21:29 16 determine how long the blade was?

15:21:34 17 A. No.

15:21:37 18 Q. Did you -- were you trained on how to

15:21:42 19 determine whether a knife was too long or too short?

15:21:47 20 How were you trained to measure a knife to

15:21:49 21 see whether or not it was permitted into the sterile

15:21:53 22 area?

15:21:54 23 MR. ROSS: Objection to form.

24 A. We used a badge.

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16:08:52 1 A. Yes.

16:08:55 2 Q. And you worked at the magnetometer on a

16:08:59 3 daily basis prior to September 11th, 2001, correct?

16:09:01 4 A. Yes.

16:09:07 5 Q. I'm going to go back to this Exhibit 18.

16:09:10 6 Had you ever seen an item like Exhibit 18 prior to

16:09:13 7 September 11th, 2001?

16:09:14 8 A. I don't remember.

16:09:19 9 Q. Okay. But you have seen at some point

16:09:23 10 this type of item at the checkpoint, correct?

16:09:25 11 A. Yes.

16:09:28 12 Q. Did you, yourself, ever detect an item

16:09:32 13 like this, Exhibit 18? Did you ever detect this at the

16:09:33 14 checkpoint?

16:09:35 15 A. The supervisor had to decide.

16:09:36 16 Q. Okay.

16:09:37 17 A. For --

16:09:40 18 Q. Fair enough. But did you ever detect it

16:09:44 19 coming through? And before you contacted a supervisor

16:09:48 20 to decide, did you ever -- were you ever the person who

16:09:52 21 first found the item that looked like this Exhibit 18?

16:09:54 22 A. You mean on September 11th?

16:09:55 23 Q. At any time.

24 A. Yes.

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16:09:59 1 Q. Do you recall how you detected this item?

16:10:02 2 Was it at the x-ray machine?

16:10:04 3 A. It was the x-ray machine.

16:10:05 4 Q. Okay.

16:10:07 5 A. Sometimes on a bag check.

16:10:08 6 Q. Okay.

16:10:11 7 A. Sometimes on a hand wand.

16:10:19 8 Q. Okay. So, Item 18 in your experience as a

16:10:24 9 screener is something that, in your experience, was

16:10:30 10 detected and could have been detected while you were

16:10:32 11 working the x-ray machine, correct?

16:10:33 12 MR. ROSS: Objection to form.

16:10:35 13 MR. MORYAN: Objection to form.

16:10:36 14 MR. CURCIO: Objection to form.

16:10:37 15 BY MR. MIGLIORI:

16:10:37 16 Q. Go ahead.

16:10:38 17 A. Can you please because --

16:10:39 18 Q. Sure. Is this something that you have

16:10:41 19 ever detected while you were working on the x-ray

16:10:43 20 machine?

16:10:44 21 MR. MORYAN: Asked and answered. Object

16:10:45 22 to form.

16:10:46 23 A. It was a different knife.

24 Q. Yes.

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16:10:46 1 A. A different.

16:10:48 2 Q. Okay. Not this knife itself, but could

16:10:50 3 you have -- did you -- strike that.

16:10:54 4 Did you ever detect a knife that looked like

16:10:57 5 Exhibit 18 when you worked on the x-ray machines?

16:10:59 6 A. Yes.

16:11:01 7 Q. Okay. And did you ever detect a knife

16:11:04 8 that hooked like Exhibit 18 when you were working the

16:11:11 9 magnetometer?

16:11:14 10 A. It was the supervisor's job to -- when we

16:11:17 11 find the knife, it was the supervisor's job to decide

16:11:18 12 for that.

16:11:21 13 Q. Okay. I'm not asking whether it was taken

16:11:27 14 away. Did you ever detect at the magnetometer a knife

16:11:31 15 that looked like something like Exhibit 18 before you

16:11:35 16 contacted the supervisor? Did you ever detect an item

16:11:36 17 like this --

16:11:36 18 A. Yes.

16:11:41 19 Q. -- with the magnetometer?

16:11:47 20 A. What position you mean? On the x-ray or

16:11:48 21 bag check?

16:11:51 22 Q. We talked about the x-ray. Let's go now

16:11:53 23 to the magnetometer. At times you would work at the

24 magnetometer, correct?

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16:11:56 1 You've worked at the magnetometer on a daily  
16:11:58 2 basis, correct?  
16:11:58 3 A. Yes.  
16:12:01 4 Q. All right. And you have detected  
16:12:04 5 prohibited items while working at the magnetometer,  
16:12:06 6 correct?  
16:12:07 7 A. Yes.  
16:12:09 8 Q. And an alarm would sound?  
16:12:11 9 A. It goes on.  
16:12:13 10 Q. And you knew it was your job to find out  
16:12:17 11 what caused the alarm to go off, correct?  
16:12:19 12 A. No. It was a hand wand job.  
16:12:28 13 Q. Okay. Did you ever detect an item like  
16:12:37 14 Item 18 in the process of monitoring the magnetometer  
16:12:41 15 and passing that screener to hand wanding?  
16:12:42 16 MR. ROSS: Objection to form.  
16:12:43 17 A. Yes.  
16:12:55 18 Q. Okay. So, could Item 18, could this item,  
16:12:59 19 in your experience, set off the alarm at the  
16:13:00 20 magnetometer?  
16:13:01 21 MR. ROSS: Objection to form.  
16:13:03 22 MR. MORYAN: Objection to form.  
16:13:04 23 MS. GUILFOYLE: Objection.  
24 THE WITNESS: Yes.

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16:13:05 1 BY MR. MIGLIORI:

16:13:05 2 Q. I'm sorry?

16:13:08 3 A. Yes, because all -- the alarm goes on with

16:13:09 4 this.

16:13:11 5 Q. With an item like No. 18?

16:13:18 6 A. Yes.

16:13:24 7 Q. Could an item like Item 21 appear and be

16:13:28 8 detected when you're working on the x-ray machine?

16:13:30 9 A. Yes.

16:13:35 10 Q. Could an item like 21 be detected by the

16:13:38 11 magnetometer?

16:13:39 12 MR. MORYAN: I'm sorry.

16:13:40 13 Q. Could this set off the alarm at the

16:13:42 14 magnetometer?

16:13:44 15 MR. MORYAN: Objection to form.

16:13:45 16 MR. ELLIS: Objection to the form.

16:13:46 17 MR. ROSS: Objection.

16:13:46 18 A. Yes.

16:13:46 19 BY MR. MIGLIORI:

16:13:47 20 Q. Go ahead.

16:13:47 21 A. Yes.

16:13:53 22 Q. Could an item like 21 be detected through

16:13:55 23 hand wanding?

24 MR. MORYAN: Objection to form.

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16:13:58 1 MS. GUILFOYLE: Objection to form.

16:13:58 2 THE WITNESS: Yes.

16:13:58 3 BY MR. MIGLIORI:

16:14:01 4 Q. And could an item like 21 be detected

16:14:03 5 through a bag check?

16:14:04 6 A. Yes.

16:14:06 7 MR. MORYAN: Objection to form.

16:14:13 8 Q. Could an item like Exhibit 20 be detected

16:14:14 9 at the x-ray machine?

16:14:16 10 MR. ROSS: Objection to form.

16:14:17 11 MR. MORYAN: Objection to form.

16:14:20 12 MS. GUILFOYLE: Objection to form.

16:14:22 13 THE WITNESS: You mean this --

16:14:22 14 BY MR. MIGLIORI:

16:14:24 15 Q. Can you see this on the x-ray machine?

16:14:27 16 A. Yes, yes. The blades, we could see the

16:14:27 17 blades.

16:14:28 18 Q. Okay. The blade?

16:14:30 19 A. Yes. The blade.

16:14:32 20 MR. ROSS: For the record, you have the

16:14:34 21 blade open, and that is what she's responding to.

16:14:34 22 MR. MIGLIORI: I can hold it.

16:14:34 23 BY MR. MIGLIORI:

24 Q. Do you want to hold it and show me what

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16:14:36 1 you mean?

16:14:39 2 A. Yes, the blade. It can show the blade on

16:14:40 3 the x-ray machine.

16:14:41 4 Q. Okay. Could an item -- what is the

16:14:42 5 number?

16:14:44 6 A. Twenty.

16:14:50 7 Q. Twenty? Twenty-two? Could an item like

16:14:57 8 22 be detected on an x-ray machine when it's closed?

16:14:58 9 A. Like this? Yes.

16:15:01 10 Q. Okay. Could an item like 22 be detected

16:15:03 11 by the magnetometer?

16:15:06 12 MR. MORYAN: Objection.

16:15:06 13 MS. GUILFOYLE: Objection to form.

16:15:07 14 THE WITNESS: I don't know.

16:15:07 15 BY MR. MIGLIORI:

16:15:10 16 Q. Okay. Could an item like 22 be detected

16:15:13 17 by a hand wand?

16:15:14 18 MS. GUILFOYLE: Objection.

16:15:14 19 A. I don't know.

16:15:17 20 Q. Could an item like 22 be detected with a

16:15:18 21 bag check?

16:15:19 22 MR. MORYAN: Objection.

16:15:23 23 A. Yes.

24 Q. I've got two more and then we're done.

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16:15:33 1 Item 25. Could an item like 25 be detected  
16:15:35 2 at the x-ray machine?

16:15:37 3 MR. MORYAN: Objection.

16:15:37 4 MS. GUILFOYLE: Objection.

16:15:37 5 THE WITNESS: Yes.

16:15:38 6 BY MR. MIGLIORI:

16:15:40 7 Q. Could an item like 25 be detected at the  
16:15:42 8 magnetometer?

16:15:43 9 MR. MORYAN: Objection.

16:15:44 10 MS. GUILFOYLE: Objection.

16:15:44 11 THE WITNESS: I don't know.

16:15:45 12 BY MR. MIGLIORI:

16:15:47 13 Q. Is there metal on Exhibit 25?

16:15:48 14 A. Yes. There is the metal here  
16:15:49 15 (indicating).

16:15:51 16 Q. And do you know what sets off the alarm on  
16:15:52 17 the magnetometer?

16:15:54 18 A. Metal.

16:15:57 19 Q. Would this Item 25 have set off, in your  
16:15:59 20 experience, the alarm on the magnetometer?

16:16:01 21 MR. ROSS: Objection?

16:16:02 22 MS. GUILFOYLE: Objection.

16:16:02 23 THE WITNESS: Yes.

24 BY MR. MIGLIORI:

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16:16:02 1 Q. It would?

16:16:03 2 A. Yes.

16:16:07 3 Q. Would Item 25, could that be detected by

16:16:11 4 hand wanding, this item?

16:16:12 5 MR. ROSS: Objection.

16:16:13 6 A. Yes. Yes.

16:16:16 7 Q. Could Item 25 be detected through a bag

16:16:16 8 check?

16:16:17 9 A. Yes.

16:16:22 10 Q. The last one. I won't open any of the

16:16:26 11 knives on this.

16:16:29 12 Exhibit 24, are you aware that this is

16:16:31 13 referred to as a Leatherman? Have you ever heard that

16:16:33 14 expression before?

16:16:35 15 A. Can you repeat, please?

16:16:37 16 Q. Do you know that some people call this a

16:16:38 17 Leatherman? Have you ever heard that before?

16:16:39 18 A. I never.

16:16:45 19 Q. Well, Item 24, could -- on September 11th,

16:16:48 20 2001, or before September 11th, 2001, could a

16:16:52 21 Leatherman have been detected by x-ray?

16:16:53 22 A. Yes.

16:16:55 23 Q. Prior to September 11th, 2001, could a

24 Leatherman have been detected by magnetometer?

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16:17:01 1 MR. ROSS: Objection.

16:17:02 2 MR. MORYAN: Objection.

16:17:02 3 THE WITNESS: Yes.

16:17:02 4 BY MR. MIGLIORI:

16:17:03 5 Q. Prior to September 11th, 2001, could a

16:17:07 6 Leatherman have been detected by hand wanding?

16:17:08 7 MR. MORYAN: Objection.

16:17:09 8 MS. GUILFOYLE: Objection.

16:17:09 9 THE WITNESS: Yes.

16:17:10 10 BY MR. MIGLIORI:

16:17:13 11 Q. And prior to September 11th, 2001, could a

16:17:16 12 Leatherman have been detected through a bag check?

16:17:18 13 MR. MORYAN: Objection.

16:17:26 14 A. Yes.

16:17:28 15 MR. MIGLIORI: Thank you for coming out.

16:17:32 16 I have no more questions. Thank you.

16:17:36 17 MR. ROSS: Anybody else? Jeff?

16:17:36 18 Ms. Bala, I just have a couple.

16:17:37 19 CROSS-EXAMINATION

16:17:38 20 BY MR. ROSS:

16:17:40 21 Q. Ms. Bala, are you a citizen of the

16:17:41 22 United States?

16:17:41 23 A. Yes, I am.

24 Q. When did you become a citizen?